

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FOREST LABORATORIES, INC.,

Plaintiff,

Index No. 07 CV 7399

- against -

LEIF NISSEN,

Defendant.

AFFIDAVIT OF SIGMUND SOLARES

STATE OF FLORIDA)
) ss:
COUNTY OF HILLSBOROUGH)

I, SIGMUND SOLARES, affirm the following facts under penalty of perjury:

1. I am the Chief Executive Officer of a company called Parked.com, LLC ("Parked"). Parked is an on-line advertising business that services owners of domain names.

2. In particular, once a domain name owner creates an account with Parked, he can place domain names in our system. Parked will either choose keywords for the customer or the customer can choose a primary keyword and the Parked system will choose related key words. Parked will then send these results to the major search engines.

3. Various advertisers bid on keywords with the search engine companies and the advertisers are ranked based on the highest bidder and the click through rate for the ad.

4. Based on the results of the bidding process, Parked works with the search engine companies to place relevant advertising on the web site associated with the domain name. Internet user view the related advertising and frequently click on the advertising which is placed on the domain name. The domain name owner obtains revenue from clicks that are verified as legitimate clicks by the search engine. Internet sites like "lexipro.com" are referred to as "pay-per-click" sites.

5. On May 23, 2007, Mr. Leif Nissen signed up for an account at Parked and added the domain name "lexipro.com" to the system. Attached as Exhibit A is a true and correct copy of Ms. Nissen's registration information.

6. On or about May 23, 2007, the account holder for lexipro.com logged on the account and set the domain name "lexipro.com" to the keyword "depression." A true and correct copy of a "screen capture" from the customer account page for "lexipro.com" is attached hereto as Exhibit B.

7. As a result of setting the domain name to the keyword "depression" the Parked.com system automatically determined that the related keywords should include: "Depression, Lexapro, Depression Symptoms, Celexa, Anxiety Attack, Panic Disorder, Manic Depression, Depression Treatment, Clinical Depression, Postpartum Depression, Anxiety Depression, Depression Information, Depression Medication, Depression And Anxiety, and Depression Help."

8. The domain name "lexipro.com" included advertisements related to depression including links to advertising by advertisers who bid on any of the related keyword phrases: Depression, Lexapro, Depression Symptoms, Celexa, Anxiety Attack, Panic Disorder, Manic Depression, Depression Treatment, Clinical Depression,

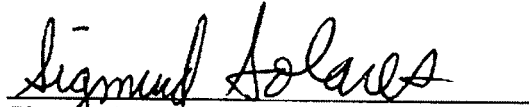
Postpartum Depression, Anxiety Depression, Depression Information, Depression Medication, Depression And Anxiety, and Depression Help.

9. In this particular instance, the search engine in question placed advertisements on the lexipro.com site based on advertisers who bid on the word "lexipro."

10. From May 23, 2007 until the domain name was shut down in August 2007, the domain name lexipro.com had 1,410 visitors with 1,243 verified clicks on advertised links.

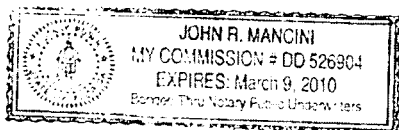
11. Attached as Exhibit C is a page from the "lexipro.com" site, which shows the particular advertisers that were generated as a result of the bidding process on "lexipro", the keyword "depression" chosen by Mr. Nissen, and the related keywords generated from the Parked automated system.

Signed at Tampa, FLORIDA, this 27 day of August, 2007.


Sigmund Solares

Sworn before me on this
27 day of Aug, 2007


Notary Public



EX.A

Exhibit A**DESKTOP**[Home](#)[Support](#)[Manager](#)[MyAdmin](#)[Designer](#)[Template](#)[Category](#)[Accounting](#)[Logout](#)[Trouble Ticket System](#)[Signup System](#)[Search](#)[FAQ](#)[MyDNS](#)[Newsletter](#)[Parked News](#)[Live Support](#)**Signup Detail - Inissen [47727]****Contact**Username / Password: Inissen / l31f3r [view parked account](#)Queue Stats: Passed Update

Name: Leif Nissen

Address 1: 7800 1st st N

Address 2:

City: St Petersburg

State: FL

Postal Code: 33702

Country: US

Email: leif@properhosting.com

Phone: 727-526-2568

Remote Address: [72.185.78.66](#) [detect proxy](#)

Signup Flash Cookie:

Signup Date: 2007-05-23 12:09:49

Number of Domains: 25

Domains: lexipro.com
bamboopage.com
bigzazoo.com
briefcasesdirect.com
broadbandapex.com
buyermagnet.com
bussinessmisc.com
cameraslink.com
carrentalagents.com
chesssetonline.com
cozylamps.com

Signup Score - Passed

Signup v2

Nope (bamboopage.com)

Nope (bigzazoo.com)

Nope (briefcasesdirect.com)

Nope (broadbandapex.com)

Nope (bussinessmisc.com)

Nope (cameraslink.com)

Initial points: 0

Dlg adjustment (5)

ISP NAME: ROAD RUNNER HOLDCO LLC

LOCATION: HERNDON, VIRGINIA, US

REAL COUNTRY: US

Happy: 5 25, US

Living in the right place (8)

Zip Code 33702 location: Saint Petersburg, FL

Trustworthy (8)

Number matching emails: 0

Number duplicate passwords: 0

REMOTE_ADDR found 0 times on google

Total score (8)

Minimum (5)

== The Parked Desktop ==

EX.B

Exhibit 8

Account: Inissen | Help | Logout

Dashboard

Portfolios

Reports

Account Information

Referrals

Help

Portfolio Manager

Mass Modify

Add Domains

Domain Detail for lexipro.com

Appearance

Domain: lexipro.com [reset domain](#)

Our system picks Keyword and Template when domain is reset.

Domain Title: lexipro.com [edit](#)Domain Split: depressionKeyword: depression [edit keyword](#)

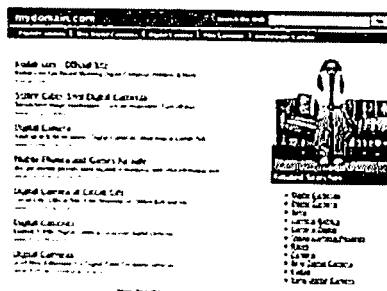
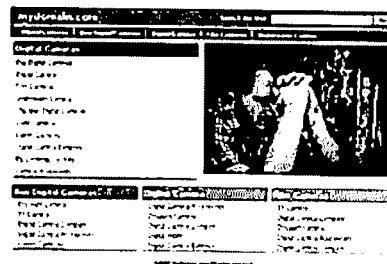
This keyword is manually hardcoded. Reset domain to remove.

Categories: LexaproEffexorWellbutrinGeneralized AnxietyOnline PrescriptionDepression SymptomsDealing With DepressionSeasonal Affective DisorderDepression SupportTreatingCelexaRameronWellbutrin SrAciphexDosageRelated Words: DepressionDepression SymptomsAnxiety AttackManic DepressionClinical DepressionAnxiety DepressionDepression MedicationDepression HelpLexaproCelexaPanic DisorderDepression TreatmentPostpartum DepressionDepression InformationDepression And Anxiety

Removed: No removed keywords

Keywords: [edit removed keywords](#)

These are the matching templates and colors for the keyword "depression"

Template: Depression [Search](#)Color: Blue Thunder☐ ☐ ☐If you encounter any problems with the Customize Template feature, please [contact support](#)[Preview Template](#)[Customize Template](#)[Save Changes](#)[Reset](#)

Thumbnail is preview of template, lexipro.com may have different colors and terms.

Advanced Options

Alternate Traffic Destination

We want to make sure that you make as much money as possible from your traffic. Sometimes we cannot monetize some of your traffic due to its country of origin, trademark concerns, or other legal issues. As a result, we have processes in place so that immediately upon determining that we cannot monetize some of your traffic we redirect that specific traffic to whatever URL you provide.

To specify an alternate traffic destination for all your domains, please visit the [account settings](#) area.

[Save Changes](#)

Note: Inserting {DOMAIN} into your URL will replace {DOMAIN} with the current domain name.

Title Tag

Please enter a short title for this domain's parked page. If blank, we use the domain name.

lexipro information[Save Changes](#)

Domain For Sale

Please enter a message, url, and press Save Changes below to create a for sale message.

To make sure this domain never gets marked for sale, select "NEVER mark lexipro.com For Sale" below and press Save Changes.

The For Sale message for lexipro.com will be in the following format:
[For Sale Message] Please contact us for more information.

☐ NEVER mark lexipro.com For Sale

For Sale

Message:

(limit 50 letters)

For Sale URL

(http://, https://, or mailto:)

[Save Changes](#)

Meta Tags

Please enter any meta tags you want on this domain's parked page below.
If blank, we dynamically fill it with keywords.

Description:

Keywords:

[Save Changes](#)

[Terms of Service & Privacy Policy](#)

[Careers](#)

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EX.C

lexipro.com

Search the Web:

Go

[Depression](#) [Lexapro](#) [Anxiety Attack](#) [Panic Disorder](#) [Anxiety](#) [Lexapro Medication](#) [Manic Depression](#)

[Lexapro™ - Official Site](#)

Get More Information on **Lexapro** and Depression with Our Online Guides.
[www.Lexapro.com](#)

[The Road Back - How to Get off Lexapro](#)

If you are suffering from drug side effects, there is a solution.
[www.theroadback.org](#)

[Buy Lexapro Online](#)

Get Rx medications at Wholesale Prices From Our Licensed Online Canadian Pharmacy and Save Over 70%.
[www.canadianpharmacymeds.com](#)

[Lexapro - Money Back Guarantee](#)

Lexapro 20mg 90 \$121. Free Shipping.
[www.CanPharm.com](#)

[Buy Lexapro Now. Free Shipping](#)

Please compare our brand and generic prices all with free shipping.
[www.planetdrugsdirect.com](#)

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We will give you a lower price, guaranteed. Fast delivery guaranteed. Open 7 days.
Order online or toll-free. Fully licensed Canadian pharmacy.
[www.GetCanadianDrugs.com](#)

[Lexapro - Lowest Price Guarantee](#)

We will match any competitor's price - guaranteed. Over 500,000 customers. Quality medications from a licensed pharmacy. A top Canadian pharmacy (rated by Alexa) .
[www.CanadaPharmacy.com](#)

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Customer Satisfaction Guaranteed! Free Shipping Over \$100.
[www.CanadaMedicineShop.com](#)

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Buy **Lexapro** - We Will Beat All Competitors' Prices on All Prescription Drugs. We Guarantee Low Prices and Fast Delivery.
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[OCD Information](#)

Ask Question & Get Answers About Mental Conditions & Treatment.
[RevolutionHealth.com](#)



[Related Searches](#)

- [Depression](#)
- [Lexapro](#)
- [Anxiety Attack](#)
- [Panic Disorder](#)
- [Anxiety](#)
- [Lexapro Medication](#)
- [Manic Depression](#)
- [Depression Treatment](#)
- [Depression Symptoms](#)
- [Clinical Depression](#)
- [Postpartum Depression](#)
- [Anxiety Depression](#)
- [Depression Information](#)
- [Depression Medication](#)
- [Depression And Anxiety](#)

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